

SILVERTHORNE TOWN COUNCIL
Meeting Minutes
Wednesday, July 13, 2016

CALL TO ORDER/ROLL CALL/APPROVAL OF AGENDA:

Those members present and answering Roll Call were Mayor Bruce Butler, Council Members Derrick Fowler, Peggy Long, Russ Camp, Bob Kieber, JoAnne Nadalin and Tanya Shattuck. Staff members present were, Town Manager Ryan Hyland, Chief of Police John Minor, Recreation Director Joanne Cook, Public Works Director Bill Linfield, Finance Director Laura Kennedy, Assistant Town Manager Mark Leidal, Utilities Manager Zach Margolis, Town Engineer Dan Gietzen, Aquatics Coordinator Paul Kulik, Planning Manager Matt Gennett, Town Attorney Matt Mire and Town Clerk Michele Miller.

The Pledge of Allegiance was recited by those present.

Council reviewed and accepted the amended agenda noting the order and additions to Action Items.

STAFF COMMENTS:

Cook updated Council on the Sunset at the Summit Concert in Rainbow Park's success.

COUNCIL COMMENTS:

Butler commented on the success of the Summer Concert Series, at Rainbow Park. Long thanked Chief Minor and all the PD for their all of their service to the community.

CITIZEN COMMENTS:

None.

CONSENT CALENDAR:

KIEBER MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING THE MINUTES FROM JUNE 22, 2016, APPOINTMENT OF PLANNING COMMISSIONERS, REPLAT OF THE CONDOMINIUM MAP FOR BUILDINGS A AND B OF THE BIGHORN CENTER AND REPLAT – ANGLER MOUNTAIN RANCH LAKESIDE TOWNHOMES, FILING NO 8 – SECOND AMENDMENT. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

LIQUOR BOARD:

A. Mountain Interests, Inc. dba Sunshine Café – Renewal of Hotel Restaurant Liquor License

Mike Spry, Owner requested approval of the renewal. Council praised the larger, updated Sunshine Café.

LONG MOVED TO APPROVE MOUNTAIN INTERESTS, INC. DBA SUNSHINE CAFE – RENEWAL OF HOTEL RESTAURANT LIQUOR LICENSE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

B. Local Liquors, LLC – Modification of Premise

Chris Carren, owner, reviewed SB16-197 and the opportunity it presents to Liquor Stores with its adoption. Liquor Stores are now able to sell a percentage of soft goods. She requested approval for the Modification of Premise.

LONG MOVED TO APPROVE LOCALS LIQUORS LLC DBA LOCALS LIQUORS–MODIFICATION OF LICENSED PREMISE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

PUBLIC HEARINGS:

A. Ordinance 2016 – 06; an Ordinance Authorizing the Financing for the Purpose of the Construction of the Silverthorne Performing Arts Center – 2nd Reading

Laura Kennedy, Finance Director, presented Ordinance 2016-06 to Council. She reviewed her staff memo and requested approval. The ordinance authorizes the execution of a site lease between the Town and a financial institution.

Nadalín asked about the difference in terms for the financing and the lease. Do we have a prepayment option?

Kennedy stated yes there is a provision for prepayment.

Public hearing opened, no comment, public hearing closed.

Long thanked everyone for the attention to detail on the document.

NADALIN MOVED TO APPROVE ORDINANCE 2016-06, ON SECOND READING AND FINAL READING, AN ORDINANCE AUTHORIZING THE FINANCING FOR THE PURPOSE OF THE CONSTRUCTION OF THE PERFORMING ARTS CENTER. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

ACTION ITEMS:

A. Tract D, South Maryland Creek Ranch (SMCR)-Filing No. 1–Final Site Plan

Matt Gennett, Planning Manager presented the project. The Applicant, Tom Everist, South Maryland Creek Ranch, LLC, is requesting Final Site Plan approval for an 8,268 square foot private amenities center, named the ‘Aspen House’, on Tract D.

Joanna Hopkins, South Maryland Creek Ranch, reviewed the application site amenities and requested approval.

Council asked about Aspen House capacity and their trail system in the winter.

Mayor Butler asked for any public comments, no comments received.

CAMP MOVED TO APPROVE THE FINAL SITE PLAN FOR TRACT D, SOUTH MARYLAND CREEK RANCH – FILING NO. 1. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

B. Resolution 2016-20, a Resolution awarding the Pool Equipment Replacement Project to Aquatics Chemical Solutions

Paul Kulik, Aquatics Coordinator, reviewed the staff report and bid process for replacing the pump room equipment. Staff recommends Aquatic Chemical Solutions, upgrade to the pool area through circulation, chemical control and filtration. The alternative bid allows the Town to add ultraviolet sanitation to all of the pools, which will eliminate pool smell and lower chemical additions to the pool. Kulik recommended approval.

Council and staff discussed the warranty, reputation, and budget overage.

CAMP MOVED TO APPROVE RESOLUTION 2016-20, A RESOLUTION AUTHORIZING THE TOWN TO CONTRACT WITH AQUATIC CHEMICAL SOLUTIONS FOR THE POOL PUMP ROOM EQUIPMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$419,250. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

C. Blue Shores, LLC (Silver Trout Estates), Preliminary Site Plan

Matt Mire, Town Attorney, stated he has been made aware that at least four members of Council, Shattuck, Long, Camp, and Kieber, have had some prior involvement with the applicant and this application, including previously voting during service on the Planning Commission. As such, he asked a few questions with regard to that Planning Commission experience.

1. Did you consider an application identical or similar to this during your tenure on the Planning Commission?

Camp, Shattuck, Kieber, and Long replied yes.

2. Did you participate in public meetings and at least one hearing in particular on October 15, 2013 with regard to a Minor Subdivision, Final Site Plan and Disturbance Permit for Lot 5, Ponds of Blue River Subdivision?

Camp, Shattuck, Kieber, and Long replied yes.

3. Since that time have you have been elected to the Silverthorne Town Council?

Camp, Shattuck, Kieber, and Long replied yes.

4. As part of your election to the Council you took an oath to uphold the laws of the Town of Silverthorne and The State of Colorado?

Camp, Shattuck, Kieber, and Long replied yes.

5. Does your prior history with this applicant or this type of application, or your prior service on the Planning Commission affect in any way your ability to uphold your oath of office or to consider this application in an unbiased, impartial manner, and without prejudice or prejudgment of any kind?

Camp, Shattuck, Kieber, and Long replied no.

6. Do you have any financial interest in the outcome of this decision?

Camp, Shattuck, Kieber, and Long replied no

Mire stated that he has also been made aware that Council Member Fowler and Mayor Butler have had some prior involvement with the applicant and this type of application, including previously voting, during their service on Town Council. As such, he asked a few questions with regard to that Town Council experience.

1. Did you consider an application identical or similar to this during your tenure on the Town Council?

Fowler and Butler answered yes.

2. Did you participate in public meetings and at least one hearing in particular on October 23, 2013 with regard to a Minor Subdivision, Final Site Plan and Disturbance Permit for Lot 5, Ponds of Blue River Subdivision?

Fowler and Butler answered yes.

3. Does your prior history with this applicant or this type of application, affect in any way your ability to uphold your oath of office or to consider this application in an unbiased, impartial manner, and without prejudice or prejudgment of any kind?

Fowler and Butler answered no.

4. Do you have any financial interest in the outcome of this decision?

Fowler and Butler answered no.

Mire stated with regard to Councilman Kieber, the Town has received correspondence from an attorney, Steven Letofsky, requesting that Councilman Kieber voluntarily recuse himself, or that the Council vote that he has a conflict of interest thereby disqualifying him from participating.

The basis of the request is Councilman Kieber's participation in the October 15, 2013 Planning Commission meeting, as well as alleged statements he made during his campaign for Town Council.

Mire asked Councilman Kieber again if there is anything that would cause him to have a conflict of interest or prevent him from considering this application in an unbiased, impartial manner, and without prejudice or prejudgment of any kind.

Kieber stated no.

Mire went on to say that despite what Councilmen Kieber says, Mr Letofsky's letter alleges a 'conflict of interest'. The Home Rule Charter, 3.9, Conflict of Interest states, only the Council as a whole can vote on whether a Council member has a conflict under Charter 3.9. The Council determines if there is a substantial personal or financial interest or not. The affected Council member does not vote on the question of whether a conflict exists. A conflict of interest in this context means 'a substantial personal or financial interest, direct or indirect, other than a common public interest'. Council has Mr. Letofsky's letter and has heard from Councilman Kieber. Mr Letofsky's letter will be made part of the record. He requested Council vote on the matter.

NADALIN MOVED TO FIND THAT COUNCIL MEMBER KIEBER DOES NOT HAVE A CONFLICT OF INTEREST IN THIS MATTER AS OUTLINED IN THE HOME RULE CHARTER 3.9. MOTION SECONDED. MOTION PASSED BY COUNCIL. (COUNCILMAN KIEBER ABSTAINED.

Butler wants everyone to be heard tonight; he reviewed the presentation order and requested citizen comments be held to three to five minutes.

Matt Gennett, Planning Manager, presented the applicants request for Preliminary Site Plan for the Blue Shores, LLC (Silver Trout Estates). Lot 5 is intended for a Multi-family residential development with a maximum density of fifty units. The Preliminary Site Plan proposes thirty-one total residential units in fourteen duplex and one triplex residential. He reviewed his staff report and requested approval with the Planning Commission's one condition of approval.

Council questions.

Long asked if Lot 5 was the part of the original Ponds at Blue River development application two decades ago.

Gennett stated yes, for whatever reason it did not develop at the same time.

Fowler asked for clarification, has this land been zoned with this same density for two decades. Is there is anything in the Town Code that prohibits the applicant from clustering the units. He asked about the current undeveloped land, it is under the flood plain now but as proposed it will be above the flood plain?

Gennett stated yes it will be above the flood plain when developed. He stated the zoning has been the same for two decades and it was part of the Ponds at Blue River application years ago. There is nothing in the code to prohibit the cluster of units.

Nadalín asked staff if they are satisfied with that what the applicant is proposing for the wetland mitigation and if it complies with Town Code.

Gennett stated, at this time yes.

Nadalín asked if the development has more than 40% coverage for one acre.

Gennett stated the development covers about 10% of the lot area.

Camp asked if any of the thirty-one units are not within the flood plain.

Gennett stated not currently but as proposed they will be out of the flood plain.

Applicant.

Shervin Rashdi, Managing Partner, reviewed the history of the project. They purchased Lot 5 back in 2004. They have done their due diligence and feel that they have compromised over the years to make this project work. The water sewer infrastructure is already installed across the site in conjunction with Angler Mtn Ranch and with a cost sharing agreement with the Town. They are proposing thirty-one units, the zoning allows sixty percent lot coverage, but they are only utilizing 10.9 percent. He reviewed the history of property elevation. The elevation currently is what is was after the rock quarry was abandoned; they want to restore the property to its original elevation. He reviewed the natural buffers on the property. They have worked with the facts and science of the property. They have worked very hard to lower the impact of this development to its neighbors. This is a great development within high density neighborhoods.

Scott Russell, representing the developer Blue Shores, LLC, reviewed his background in Colorado for the last fifteen years as an appraiser and developer. Development can occur along water. He understands Council's position; you have registered voters and a developer that has zoning rights. They have a professional team present tonight to review the facts of the property. He reviewed maps of Silverthorne's zoning and the Eagles Nest's Master Plan.

Steve Letofsky, applicant's attorney, touched on the legal issues of the application. Town Council is charged with determining if the applicant has met all the legal requirements of the Town. They will present credible evidence that this have met the Town's criteria. Is the Property is legally zoned, is the density proposed what is allowed by Town Code, has the applicant received their CLOMR approved by Army Corp of Engineer. Letofsky reviewed the different type of agreements the applicant has been a party to with AMR and the Town over the years. The professionals have reviewed the application and found credible evidence that they have met all the laws and requirements of the Town Code. Town Staff has reviewed and approved of this plan. This project complies with the Comprehensive Plan. He stated there have been considerable reliance/money, time and effort spent on this project by the applicant. The Standard of review Council tonight is to act in a quasi-judicial manner. The applicant will present credible evidence tonight for approval. He asked Council rely on testimony of professionals and Town Staff. He asked the Council to approve the application.

Russell stated they have tried to be good stewards of the land. The property is in the flood plain because The Everist Co used it as a gravel pit. The applicant will bring the property back to the original elevation by bringing in fill. They are leaving the wetlands alone as much as they can. Lots 30/31 are adjacent to Angler Mountain Ranch (AMR) and not out of character for the area.

Gregg Shanner, Civil Engineer Matrix Design, the CLOMR was prepared by Leslie Hope, Hydra Engineering and Construction. He reviewed the CLOMR and LOMR application and process for approval. When AMR was developed, water and sewer were brought across the applicant's property to provide those services to AMR's homeowners. He reviewed the need for fill on the property. He reviewed the long planned secondary emergency vehicle access to connect to AMR. He reviewed the site's drainage and overflow; they have given a lot of thought to safety and welfare of the residents on the site.

David Johnson, Western Ecological Resources, Wetlands Consultant, stated this is not a pristine site, it has been heavily disturbed, damaged by the pine beetle epidemic, has a road going through it, and is heavily used by the neighbors. He reviewed the present wetland and aquatic areas. With wetlands mitigation, the Army Corp of Engineer desire is to create higher functioning wetlands, put back the ecology that should have been in this area. The applicant has followed all the rules and regulations of the Army Corp of Engineers to create their wetlands and riparian areas.

Fowler asked if the current wetlands were created by the mining company.

Johnson stated no they create themselves over time and opportunity.

Suzanne Allen. Allen-Guerra Design-Build Inc. reviewed the development team's thoughts on architecture for the site. The development is subject to Eagles Nest architectural review conducted by their HOA's Design Review Committee and the applicant will meet their guidelines. She reviewed the materials they plan on using on the site. They are striving for mountain rustic, with mining aesthetics and earth tones.

Jerry Powell, Wildlife Specialties, LLC, reviewed his qualifications. This site's environment has been modified over the years. He reviewed the wildlife habitat loss in the area. Recreation has a negative impact on wildlife. Domestic dogs and cats have a negative impact to wildlife. This is not a viable migration corridor, the habitat is highly fragmented. This site is not critical to the local wildlife. There have been heavy disturbances in the area.

Shattuck asked Powell if he had walked the site.

Powell stated yes many times over the years.

Kieber asked if the area is not developed, then won't the animals come back and remain there.

Powell stated as more and more development happens the number of animals will decrease; there is not enough area to maintain animals.

Nadalin asked Powell if he feels there should be a toad study.

Powell has reviewed the property over the years and does not feel there are any toads in the area.

Russell stated Town Code requires the applicant to post a letter of credit, they have already obtained a loan on the property and they are prepared to move forward with the project.

Dave Namoff, 313 Redhawk Circle, Owner, stated he purchased the property a long time ago, because it is zoned for housing, but then the economy collapsed in 2008. Now they are ready to develop. He requested Council protect his property rights.

Council questions.

Long asked where the building grade will be measured.

Gennett stated it will be measured at current grade.

Nadalin asked about the twenty-five foot wetland set back required by Town Code

Gennett reviewed the twenty five foot set back requirements in the Code.

Public Comment

Peter Wessel, 134 Lariat Loop, supports the Planning Commission's motion for approval, removing of lots 30/31 from the project. The applicant describes the building as large home, its masquerading as a multi-family home. He does not feel that this type of clustering is outlined by Code. He doesn't feel there has been enough done to contact the neighbors.

Janice Barringer, 419 Bald Eagle Rd, she and friends formed Blue River Open Space Task Force. There they presented a PowerPoint presentation in opposition to the development.

Darrel Roepke, 124 Robin Dr., Ponds Board of Directors and a member of Blue River Open Space Task Force, he presented a PowerPoint presentation outlining their concerns and opposition to the project. This project has been submitted several times over the years and they still have basically the same concerns and they have not been sufficiently addressed. He reviewed the frequency and duration of flooding with pictures. He reviewed the best management practices failures in the past. He read the FEMA CLOMAR response. He reviewed the Chapter 3, Article VIII, of the Town Code. He reviewed the Blue River high water periods, wetland setbacks, wetland mitigation, and soil conditions. He requested denial.

George Resseguie, 1770 Red Hawk Rd, President of the Eagles Nest HOA, agrees the owner has a right to develop the land but the seven hundred and fifty homeowners in their organization have rights too. This is the third time this project has been before Town Council, with the same issues. The property is an essential open space connector. He agrees with Roepke's comments. Planning Commission and staff recommend approval of the development with removal of lots 30/31, but he respectfully disagrees, he requested denial.

Steven Garrison, 213 Fly Line Drive, continued the PowerPoint presentation. He referred to the Bald Eagle Federal Law and a Take Permit. He showed where the Bald Eagle perch tree is located on the site, a Federal Permit is needed to construct on this site or it is a violation of Federal Law. He reviewed the old wildlife assessment presented in the application; does not mention the river otters or bald eagles present on the property. Moose are a constant presence on the property. This project should be stopped because of the two threatened or endangered species located on the property.

Roger Kendall, 349 Bald Eagle Road, Blue River Open Space Task Force, reviewed the reasons this project does not make economic sense. He reviewed eleven reasons for denial. He requested the property remain open space and denial of the application.

Gary Horine, 78 Hillside Drive, South Forty HOA Vice President, stated South Forty HOA requests denial of this project. The water flowing through the project is a major concern and there should be a second engineering report generated. He reviewed the properties immediately to the north of the site that are affected during seasonal flooding. If fill is allowed for this development it will affect the Blue River and its flows. The developer needs references before he is allowed to build and develop on a sensitive property like this. This PUD does not meet citizen needs. Is there a way to compensate Mr. Namoff for this property and keep it open space? The Town Council is responsible for the wellbeing of the wildlife and water quality in South Forty.

Sharon Schwartz, 164 Lariat Loop, reviewed the history of property and zoning in Silverthorne. She is concerned about the amount of fill being proposed and its effects on South Forty. She agrees with previously voiced concerns about the river and other comments.

David Servinsky, 30 Stonefly Drive, is concerned about Lots 30/31 and flooding. His reason for moving here is the beauty of the area and how we co-mingle with the wildlife. He questioned the wildlife study included in this application. He hopes the Town takes the time to plan. We need to respect the people that are here and to listen to the wildlife.

Pat Linders, 156 Lariat Loop, does not support the development and especially development of lots 30/31. She agrees with the wildlife concerns of others and their comments.

Bradley Barte, 229 Flyline Drive, requested that if the project moves forward, a special permit be obtained for construction, due to the destruction of flora and fauna. If construction is properly done, some of it could be saved. He asked if during construction the road could be left as a button hook and then after completion open up the connection. He requested collaboration on the design to minimize the visual impacts to his neighborhood.

Tom Sarafin, 263 Flyline Dr. shared his observation. He feels the amount open space presented has been overstated. There is wildlife living in this area and they will be impacted. He expressed concern about the amount of fill being dumped, its impact on the lake and river and to the trout. The architecture presented is an eyesore.

Marty Kurtic, 141 Flyline Drive, President of Angle Mtn Ranch HOA, they have a petition with seventy-nine signatures requesting denial the proposal. He is concerned about the amount of fill being delivered to the site by truck and the impact to their roads. How will that fill get there? He requested if the development is approved that the applicant posts money for road repair. Town Council is the steward of this Town and responsible for maintaining the quality of life we strive for. He requested denial and keep it open space.

Mary Kay Kelly, 101 Range View Circle, Blue River Run Board of Directors, she wanted to let Council know that not only the immediate subdivisions around this development are concerned about this development. They requested denial. She hopes Council appreciates the value of this beautiful property and location. She requested Council work with Mr. Namoff to compensate him and to keep the property open space.

Krish Rashidi, 33 Hideway Court, understands the emotions in the room but we must believe in the science and engineering presented tonight. They have done everything required by state and local laws to make this project feasible and viable. She respects the right to free speech but these developers have a right to develop this land. Because of the neighborly agreement between AMR and Silver Trout, AMR has been built. She asked Council consider the science and engineering presented tonight to approve the project.

Barrett Edwards, 130 Allegra Lane, is concerned about clearcutting the property. Revegetation of the area is not specific enough for her, what is being done to protect the crown jewel, Blue River. What is being done to make sure the natural beauty is protected? What is being done to permit fishing access along the river? It is Town Council's responsibly to ask harder questions of the applicant.

Richard Strauss, Arvada, feels public rights should be protected as well as private rights.

Public hearing closed.

Applicant.

Russell thanked everyone for their comments. He responded to some of the questions presented by those present.

Rashidi reviewed the landscaping impact.

Shanner reviewed the project's fill plan, water quality into the lake, function of the detention pond, flood way and flood plain.

Council comments

Long has been involved in this community a long time, her husband's family is fourth generation here in Summit County. Her family has a lot of experience in land use. She is proud of what has been built here in Silverthorne. She reviewed the original dense zoning for Eagles Nest and the continued down zoning as developments have been built. We embrace people who move here. She has never heard of an Eagle Take Permit. We can't apply an Eagle Take Permit to this development when it hasn't been applied to any other. She agrees with everything Mr. Letofsky said about land rights. She has voted against this project in the past but after reading the staff report and the Planning Commission's recommendation of approval, she has determined that the project has met Town Code. She supports the project.

This is Preliminary Site Plan and lot of things can be addressed by Final Site Plan. We have to respect the public process.

Nadalín stated this land is not open space; it zoned for development. Negotiations for buying the land is not what is before Council tonight. She requested more information from staff regarding otters or any endangered species on the property. Given what has been presented tonight she supports this project moving forward.

Camp stated he agrees with Planning Commission's recommend condition of approval with removal of Lots30/31. He knows a lot of wildlife will be affected, same as they when his house was built. He has not heard enough to be convinced that the project should not move forward.

Kieber stated staff, Planning Commission and Town Council have a lot of time invested in this project. An applicant has the right to come in and ask but the Council does not have the obligation to say yes. After reading the packet, he feels staff's interpretation of the Comprehensive Plan is subjective. He still has questions about the otter and eagle. Financial issues regarding the project are not his concern. He is looking at the project, does it fit Silverthorne, the neighborhood and follow the Comprehensive Plan.

Shattuck has mixed emotions about this application. She is concerned about wildlife in the area but the owner has the right to develop it. She has questions about the otter and bald eagle but they can be addressed before final. She feels it is a good project.

Fowler stated if AMR or Ponds were held to the same standards voiced tonight, neither would have been built. This is a property rights issue. He supports this project for the second time for all the right reasons.

Butler stated this is the third time he has seen this project. Every time the applicant comes before Council, the project is better. The applicant did a great job presenting tonight. He does feel like it is a lot of fill for the site. The finances of the project are not for Council to consider. It's really important to follow the process. Staff has done a lot of work on this application and he has great confidence in their recommendation. This application has come a long way. He appreciates the public access to the river and trails they are providing. This is not open space, it is owned by someone. He still has concerns but it sounds like it will move forward. He supports Planning Commission's recommended condition of approval. Construction traffic is part of the process.

Nadalín stated she is the newest member to this process and she commends the Town of Silverthorne for being open to comments. She thanked those who attended for their comments.

NADALIN MOVED TO APPROVE THE BLUE SHORES, LLC/SILVER TROUT ESTATES PRELIMINARY SITE PLAN APPLICATION WITH THE PLANNING COMMISSION RECOMMENDED CONDITION.

- 1. UNITS 30/31 SHALL BE REMOVED FROM THE PROPOSED PRELIMINARY SITE PLAN SET PRIOR TO SUBMITTAL OF A FINAL SITE PLAN APPLICATION.**

AND INSTRUCTED THE APPLICANT AND STAFF TO WORK TOGETHER TO SEE IF THERE IS A NEED FOR ANY ADDITIONAL WILDLIFE STUDIES. MOTION SECONDED. MOTION PASSED BY COUNCIL. (KIEBER NAY)

D. Consideration of Ballot Language for Summit Combined Housing Authority November 2016 Referred Measure

Ryan Hyland, Town Manager, presented the Ballot Language for Summit Combined Housing Authority November 2016 Referred Measure. JoAnne Nadalín is the Council's representative on

the Summit Housing Authority and the Housing Authority will be meeting August 27, 2016. He reviewed the numbers regarding the ballot measure with Council.

Council and staff discussed the ballot language.

NADALIN MOVED TO APPROVE THE PLACEMENT OF THE FOLLOWING BALLOT LANGUAGE ON THE NOVEMBER 2016 BALLOT FOR CONSIDERATION BY SUMMIT COUNTY VOTERS: SHALL THE SUMMIT COMBINED HOUSING AUTHORITY'S TAXES BE INCREASED \$6,500,000 ANNUALLY COMMENCING IN 2017, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER FOR A PERIOD OF TEN YEARS, FROM A SIX TENTHS OF ONE PERCENT (0.6%) SALES TAX WITHIN SUMMIT COUNTY TO BE USED FOR AFFORDABLE HOUSING PURPOSES TO HELP LOCAL WORKING FAMILIES CONTINUE TO LIVE IN OUR COMMUNITY, INCLUDING BUT NOT LIMITED TO CONSTRUCTING AFFORDABLE WORKFORCE RENTAL AND OWNER-OCCUPIED HOUSING UNITS AND SHALL SUCH REVENUES BE COLLECTED AND SPENT WITHOUT LIMITATION OR CONDITION UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW? MOTION SECONDED. MOTION FAILED. (CAMP AND NADALIN AYE)

E. Resolution 2016-21; a Resolution Amending the Summit Combined Housing Authority Intergovernmental Agreement

Ryan Hyland, Town Manager, reviewed the staff report that outlines the amendment to the Summit Combined Housing Authority Intergovernmental Agreement. Hyland requested approval.

Council discussed the three year funds return policy.

LONG MOVED TO APPROVE RESOLUTION 2016-21, A RESOLUTION APPROVING THE EXECUTION OF A THIRD AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT PROVIDING FOR THE ESTABLISHMENT AND CONTINUATION OF THE SUMMIT COMBINED HOUSING AUTHORITY. MOTION SECONDED. MOTION PASSED BY COUNCIL PRESENT.

DISCUSSION ITEMS:

None.

INFORMATIONAL:

- A. EDAC Meeting Minutes, July 5, 2016
- B. Planning Commission Meeting Minutes, July 5, 2016
- C. SPORT Committee Meeting Minutes, June 16, 2016

NADALIN MOVED TO ADJOURN. MOTION SECONDED. MEETING ADJOURNED AT 10:49 P.M.

BRUCE BUTLER, MAYOR

ATTEST

MICHELE MILLER, TOWN CLERK

Town of Silverthorne Town Council Meeting Minutes

These minutes are only a summary of the proceedings of the meeting. They are not intended to be comprehensive or to include each statement, person speaking or to portray with complete accuracy. The most accurate record of the meeting is the videotape of the meeting, maintained in the office of the Town Clerk.